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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,259	06/06/2002	Rudolf Kawalla	20496-313	8949

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1585 Broadway
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EXAMINER

SHEEHAN, JOHN P

ART UNIT

PAPER NUMBER

1742

DATE MAILED: 08/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,259

Applicant(s)

KAWALLA ET AL.

Examiner

John P. Sheehan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1. 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

I. In claim 1, line 11, the meaning of the phrase, "if necessary" in the context of the claims is not clear. What would or would not make one of the recited elements "necessary"? Deleting "if necessary" and inserting --optionally--can overcome this rejection.

II. In claim 1, lines 14 and 15, the meaning of the phrase, "usual accompanying elements" is not clear. Does this phrase refer to impurities only or does it encompass any additional unnamed elements? If this phrase is intended to mean impurities then this rejection can be overcome by deleting the phrase, "as well as the usual accompanying elements". The transitional phrase, "comprising" (claim 1, line 4) is open to include impurities.

III. The meaning of the phrase "two-phase mixing region austenite/ferrite" used throughout the claims is not clear (for example claim 1, lines 23 and 24, also see claims 3, 4 and 5). If this phrase is intended to mean in the two-phase

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region wherein one phase is austenite and the other phase is ferrite then this rejection can be overcome by deleting the phrase, "two-phase mixing region austenite/ferrite" and inserting the language, --two-phase austenite/ferrite region--.

IV. In claim 8, lines 2 and 3, the phrase, "the coiling heat" lacks a clear antecedent.

V. In claim 2, it is not clear what is meant by "total deformation ϵ_h ". At first glance, in view of the use of the symbol ϵ_h this phrase appears to refer to the total deformation in the two-phase austenite/ferrite region as recited in the last three lines of claim 1. However, in claim 6 the symbol, ϵ_h , is used to refer to deformation in the ferritic region. Thus, by its multiple usage in the claims ϵ_h does not exclusively mean deformation in the two-phase austenite/ferrite region. In view of this, it is not clear what the meaning is of the phrase, "total deformation ϵ_h ".

VI. In claim 12, lines 1 and 2, the phrase, "hot rolling in the ferric region" lacks a clear antecedent. Also it is questioned whether "ferric" should be ferrite?

VII. In claim 13, lines 2 and 3, the phrase, "passes taking place in the ferritic region" lacks a clear antecedent.

VIII. In claim 14, line 2, "cooling" lacks a clear antecedent. Further, the antecedent for phrase "the hot strip" in line 2 is not clear. If the steel has been cooled then how can it be a "hot strip"?

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IX. In claim 18 the meaning of the phrase, "prepared for processing and supplied" is not clear. What does this phrase mean?

X. In claims 19 to 22 the meaning of the phrase, "preparation for processing and delivery" is not clear. What does this phrase mean?

XI. It is not clear when the cold rolling recited in claims 23 to 26 takes place in the claimed process.

XII. It is not clear when the annealing in claim 27 takes place in the claimed process.

Allowable Subject Matter

3. Claims 1 to 26 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

4. The following is a statement of reasons for the indication of allowable subject matter: The primary reason for the indication of allowable subject matter is that none of the references alone nor in combination teach or suggest a method of making non grain-oriented magnetic steel sheets including the step of at least one hot rolling deformation pass taking place in the two phase austenite/ferrite region at a total deformation of at least 35%.

Conclusion

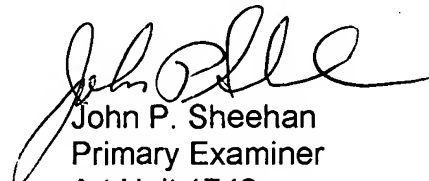
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P. Sheehan whose telephone number is (703)

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308-3861. The examiner can normally be reached on T-F (6:30-5:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on (703) 308-1146. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0651.


John P. Sheehan
Primary Examiner
Art Unit 1742

jps